

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FISHER : CIVIL ACTION  
v. :  
: NO. 02-3460  
: ORTIZ, et al. :

**ORDER**

AND NOW, this        day of October, 2002, it is hereby ORDERED that, within twenty days of the date of this Order, the parties shall submit memoranda, which shall include:

1. Documentation concerning the dates on which the respective Complaints were filed in this matter and in the related case pending in the Middle District of Pennsylvania;
2. Argument as to the applicability and effect of the “first filed” doctrine with respect to Third Party Defendant, Paul Lenardson’s Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(c) (venue). *See generally EEOC v. University of Pennsylvania*, 850 F.2d 969, 979 (3d Cir. 1988); *Peregrine Corp. v. Peregrine Industries, Inc.*, 769 F. Supp. 169, 174 (E.D. Pa. 1991).

**BY THE COURT:**

---

**MICHAEL M. BAYLSON, U.S.D.J.**